



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 W. 15th STREET, SUITE 3200
HELENA, MONTANA 59626

Ref: 8MO

November 7, 2013

Mr. William S. Morris
Town of Browning
P.O. Box 469
Browning, MT 59417

RE: EPA-R8-2013-009960

Dear Mr. Morris:

This is in response to your Freedom of Information Act request dated September 13, 2013.

The records that you are requesting contain material claimed confidential and may contain trade secrets or commercial or financial information exempt from disclosure under 5 U.S.C. §552(b)(4). In accordance with 40 C.F.R. 2.204(d)(1), I am initially denying your request to those records because EPA must conduct further inquiry before making a final determination. We will consult with any relevant third parties in connection with business confidentiality claims concerning these records, and the EPA Region 8 Office of Regional Counsel will issue a final confidentiality determination.

The records that are being withheld are:

Blackfeet Budget and Water Rates, and the Short Lived Assets Worksheet – Two Medicine.

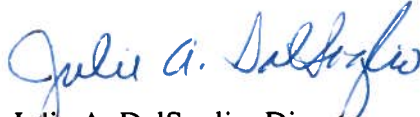
As noted above, the information withheld under Exemption 4 will be sent to the appropriate legal office to issue a final confidentiality determination. Therefore, you do not need to appeal the information withheld pursuant to Exemption 4. Once the legal office issues a final confidentiality determination, EPA will notify you whether the information qualifies for confidential treatment or may be released. To the extent you would like to appeal any other issue, including any non-Exemption 4 withholdings, you may appeal this denial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, DC 20460 (U.S. Postal Service Only), email: FOIA_HQ@epa.gov. Only items mailed through the U.S. Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6414J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received



after the 30 calendar day limit. The appeal letter should clearly identify the determination being appealed, including the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope should be marked "**Freedom of Information Act Appeal.**"

If you have any questions regarding this response, please contact Debbie Clevenger of my staff at 406-457-5004.

Sincerely,



Julie A. DalSoglio, Director
Montana Office